

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**TQP DEVELOPMENT, LLC,**

Plaintiff,

v.

**TCF FINANCIAL CORPORATION et  
al,**

Defendants.

**Civil Action No. 2:12-cv-70-MHS-RSP**

**JURY TRIAL DEMANDED**

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The plaintiff TQP Development, LLC and defendant TCF National Bank d/b/a TCF Bank pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims in this action WITH PREJUDICE, subject to the terms of that certain agreement entitled “**AGREEMENT**” and dated January 4, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

SO STIPULATED:

Dated January 8, 2013.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 8th day of January, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Adam S. Hoffman

Adam S. Hoffman